

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

CHRISTOPHER COOLEY,	:	
	:	<b>Case No.: 21-CV-0798</b>
Plaintiff,	:	
	:	
-vs-	:	<b>PLAINTIFF’S MOTION FOR DEFAULT</b>
	:	<b>JUDGMENT AND REQUEST FOR</b>
Aevum Hotels, LLC.	:	<b>HEARING AS TO DEFENDANT</b>
	:	<b>AEVUM HOTELS, LLC</b>
Defendants.	:	
	:	
	:	

**PLAINTIFF’S MOTION FOR DEFAULT JUDGMENT AND REQUEST FOR HEARING  
AS TO DEFENDANT AEVUM HOTELS, LLC**

Now comes Plaintiff, by and through counsel, submitting this Motion for Default Judgment as to Defendant Aevum Hotels, LLC pursuant to Federal Rule of Civil Procedure 55(b)(2). In support of this request, Plaintiff relies upon the record in this case and affidavit submitted herein.

The Clerk has Entered a default as to Defendant Aevum Hotels, LLC as of May 3, 2022. (Dkt # 12). The amended complaint (Dkt # 5) was properly served on Aevum on March 8, 2022 (Dkt # 8). A copy of Plaintiff’s application for entry of default judgment was sent by US First Class Mail to Aevum’s Registered Agent on May 3, 2022.

In this matter, Plaintiff has alleged claims arising under the Americans with Disabilities Act, and, pursuant to the Court’s supplemental jurisdiction, claims arising under Ohio law. Plaintiff seeks declaratory relief, injunctive relief, actual damages, punitive damages, and fees

and costs. Plaintiff respectfully requests that the Court set this matter for a hearing to determine the appropriate relief due to Plaintiff, and upon making a determination that relief should be ordered, permit Plaintiff the opportunity to submit a fee petition for fees and costs within 14 days of such interim order on relief.

Consistent with previous service efforts, Plaintiff will serve a copy of this motion on Defendant Aevum via US First Class Mail. Upon scheduling of the requested hearing, Plaintiff will similarly serve a copy of the Court's order on Defendant Aevum to provide the appropriate notice required by FRCP 55(b)(2).

Dated: May 11, 2022

Respectfully submitted,

/s/ Alexander J. Darr  
Alexander J. Darr (0087102)  
Darr Law LLC  
1391 W 5<sup>TH</sup> AVE, STE 313  
COLUMBUS, OHIO 43212

*Trial Attorney for Plaintiff,*  
Christopher Cooley

**CERTIFICATE OF SERVICE**

I hereby certify that on this 11th day of May 2022, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on Aevum Hotels, LLC by sending a copy via United States First Class Mail to Aevum Hotels, LLC's registered agent with the Ohio Secretary of State.

/s/ Alexander J. Darr  
Alexander J. Darr (0087102)

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

CHRISTOPHER COOLEY,	:	
	:	<b>Case No.: 21-CV-0798</b>
Plaintiff,	:	
	:	
-vs-	:	<b>DECLARATION OF ALEXANDER</b>
	:	<b>DARR IN SUPPORT OF PLAINTIFF'S</b>
Aevum Hotels, LLC.	:	<b>MOTION FOR DEFAULT JUDGMENT</b>
	:	
Defendants.	:	
	:	
	:	

**Declaration**

I, Alexander Darr, of sound mind and body, do declare as follows:

1. I am an attorney duly licensed to practice law in this Court and the State of Ohio.
2. I represent the Plaintiff in the above-captioned matter.
3. I make the following representations from my personal knowledge.
4. This matter was originally filed on December 28, 2021, naming two parties as defendants: Chato LLC and P & C Motel Corp. (Dkt #1).
5. After additional research and investigation, as well as correspondence with a representative for Chato LLC, an amended complaint (Dkt #7) was filed replacing the existing defendants with Aevum Hotels, LLC.
6. As indicated in the Return of Service form completed by Benjamin Poole, a non-party, the amended complaint was served on March 8, 2022. (Dkt #8).

7. Defendant's answer was due March 29, 2022. (Dkt #8).
8. Defendant has actual knowledge of this proceeding, as a representative contacted Plaintiff's counsel to discuss the matter.
9. At Plaintiff's request (Dkt # 11), the Clerk has Entered Default as to Defendant Aevum Hotels, LLC (Dkt # 12).
10. The Complaint alleges claims arising under the Americans with Disabilities Act, and, pursuant to the Court's supplemental jurisdiction, claims arising under Ohio law.
11. Plaintiff seeks declaratory relief, injunctive relief, actual damages, punitive damages, and fees and costs from these claims.

I certify under penalty of perjury that the above statements are true and correct to the best of my knowledge and recollection.

Signed this 11th day of May, 2022 at Fremont, Ohio.

A handwritten signature in black ink, appearing to read 'A. Darr', is written over a horizontal line.

Alexander Darr, Counsel for Plaintiff